

4)

**REMARKS**

By this amendment, Appellants cancel dependent claims 2-4, 7, 9-11, 14, 18-20, 23, 25-27, and 30. This amendment is being filed concurrently with Appellants' Appeal Brief.

Appellants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 5, 6, 8, 12, 13, 15-17, 21, 22, 24, 28, 29, 31, and 32 in better form for appeal and in condition for allowance. Appellants submit that the proposed cancellation of dependent claims 2-4, 7, 9-11, 14, 18-20, 23, 25-27, and 30 does not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner.

Further, 37 C.F.R. § 41.33(b) states amendments filed on the date of filing an Appeal Brief may be admitted to cancel claims, where such cancellation does not affect the scope of any other pending claim under appeal. Therefore, this Amendment should allow for immediate action by the Examiner.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2006

By: 

Arthur A. Smith  
Reg. No. 56,877

/direct telephone: (202) 408 4049/